

IN THE SENATE OF THE UNITED STATES.

JUNE 3, 1858.—Ordered to be printed.

Mr. IVERSON submitted the following

REPORT.

The Committee on Claims, to whom was referred the petition of Ebenezer Ballard and Rishworth Jordan, report :

The petitioners represent that they were seamen on board the United States ship Adams, which was destroyed in the harbor of Hampden, Maine, in 1813, by order of her commanding officer, to prevent her falling into the hands of the enemy; by which the clothing and other property of the crew, to the amount of about \$150, was destroyed and lost. The petitioners further state that, prior to the destruction of the Adams, during a cruise to the coast of Ireland and back, she took several prizes, the proceeds of which were delivered to a navy agent of the United States, in whose custody they were lost to the petitioners. It is asked that Congress will grant indemnity for the personal property lost by the burning of the Adams and for the prize money to which the crew had become entitled.

The committee consider the claim too stale and unsupported to authorize its allowance. It is most reasonable to suppose that when the party joined the Congress, (to which they were transferred after the destruction of the Adams,) as stated in a letter of the Secretary of the Navy to the chairman of the committee, that they were supplied with all necessary clothing and other articles, to compensate them for those lost on the Adams. There is no evidence of the fact either way; but as the pay-rolls which would have established the fact have been destroyed by fire the committee can only be governed by a reasonable presumption that the government acted with justice and humanity to the officers and crew of the Adams, and reimbursed the loss of their personal chattels.

The claim for prize-money is clearly inadmissible. It was at that time the law and the practice for the captors to appoint their own prize-agents, who sold the property and divided the proceeds. This was probably done in the case presented by the petition. At any rate, there is no evidence that the government ever received the prize money, if any, in this case; and, under the circumstances of the great lapse of time, uncertainty, and absence of proof, the committee are of opinion that the claim ought not to be allowed.

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